

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

- against -

STEVEN BYERS et al.,

Defendants,

- and -

ELKA SHERESHEVSKY,

Relief Defendant.

CHIN, District Judge

For the past few months the Receiver has engaged in discussions with investors, creditors, and other claimants (the "claimants") regarding the amount of their distribution under the Distribution Plan I approved on July 23, 2009. August 24, 2009 is the deadline by which the Receiver is to resolve any dispute with claimants.

To the extent that disputes exist after August 24, 2009, the following procedure shall govern the Court's resolution of those disputes:

The Receiver shall provide the Court with any documents or evidence claimants have submitted in support of their claims. To the extent that claimants wish to supplement what they have provided the Receiver, they must do so by August 31, 2009. All documents, letters, and briefs shall be sent to the Receiver, who

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8-19-09

ORDER

08 Civ. 7104 (DC)

will then organize them and submit them to the Court for its review.


The Receiver shall provide the Court with all documentation and evidence, as well as a statement setting forth the Receiver's position on the disputes, by September 14, 2009.

The Court will hold a hearing to resolve all outstanding disputes on September 22, 2009 at 10:00 a.m. in Courtroom 11A. Due to technological constraints, no one will be able to appear telephonically. Any claimant who wishes to be heard at this hearing will have an opportunity to speak. Claimants are not required to attend this hearing, however; if they elect not to attend, the Court will resolve their claims based on the materials they submit to the Court via the Receiver.

The Receiver shall post a copy of this Order on his website forthwith.

SO ORDERED.

Dated: New York, New York  
August 19, 2009

  
DENNY CHIN  
United States District Judge